



Town of Dumfries
Council Meeting

Meeting Date: October 9, 2012

Agenda Item# XI - B

AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

- ☐ CONSENT AGENDA
☐ PRESENTATION
☐ ACTION ITEM
☐ TOWN MANAGER & STAFF COMMENTS
☒ PUBLIC HEARING
☐ Duly Advertised

PURPOSE OF ITEM:

- ☐ INFORMATION ONLY
☐ DISCUSSION ONLY
☒ DISCUSSION AND/OR DECISION
 X Introduction ☐ Resolution
 ☐ Ordinance ☐ Grant/MOU
 ☐ By Motion ☐ Bylaws
 ☐ Certificate

PRESENTER: Morgan Brim

PRESENTER TITLE: Town Planner/Zoning Administrator

AGENDA ITEM:

Ordinance Text Amendments Sections 70-542 reduces the Planning Commission's review and decision timeframe of site plans from 60 to 30 days and requires the forwarding site plans to the Town Council on the next available meeting and 70-679(a) amended to delete 7:00 PM as the meeting time for the Architectural Review Board

BACKGROUND / SUMMARY:

Staff initiated amendments to Town Code Section 70-542 to allow staff to review site plans administratively. The Council disagreed with staff's proposal and directed staff to prepare the amendment to reduce the Planning Commission review time for site plans from 60 to 30 days and to forward final site plans to the Town Council at their next available meeting for action. The ARB proposed an amendment to Section 70-679(a) to delete 7:00 PM as their official meeting time.

ATTACHMENTS:

Public Hearing Notice
Ordinance proposal Sections 542 – Site Plan Procedures
Ordinance proposal Section 679(a) – ARB Meeting Time

REQUESTED ACTION:

☐ NO ACTION REQUESTED

Motion to Introduce the above listed ordinances

FOR MORE INFORMATION, CONTACT:

Name: Morgan Brim

Phone#: 703-221-3400 ex 118

E-mail: mbrim@dumfriesva.gov

FOR USE DURING MEETING

VOTE:

☐ PASSED

☐ NOT PASSED

Y	N		Y	N		Y	N
<input type="checkbox"/>	<input type="checkbox"/>	Brewer	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Praino	<input type="checkbox"/>	<input type="checkbox"/>	Reynolds	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Washington					

NOTICE OF PUBLIC HEARING

**BY THE TOWN COUNCIL
OF THE TOWN OF DUMFRIES, VIRGINIA ON**

**October 9, 2012 at 7:00 PM
or as soon thereafter as may be heard
Located at 17755 Main Street, Dumfries, VA 22026**

The Town Council of the Town of Dumfries hereby gives notice of a public hearing on the adoption of text amendments to the following sections of Town Code: 1) section 70-542 Procedures, of Town Code. Amendment Reduces the Planning Commission's review and decision time frame of site plans from 60 to 30 days and requires the forwarding site plans to the Town Council on the next available meeting. 2) Section 70-679(a) Amended to delete 7:00 PM as the meeting time for the Architectural Review Board.

All supporting material is available for public inspection at the Office of the Town Clerk at 17755 Main Street, Dumfries, Virginia 22026 between the hours of 8:30 AM and 5:00 PM; M-F. The public hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or needing to discuss accommodation of a disability should contact the Town Clerk at 703-221-3400 or dhobgood@dumfriesva.gov, during normal working hours.

Please post on September 26th, 2012 and October 3rd, 2012.

AT A MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON NOVEMBER 13, 2012, AT 7:00 P. M., IN THE COUNCIL CHAMBERS, LOCATED AT 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, _____;
Gerald M. Foreman, II, _____;
Kristin W. Forrester, _____;
Louis A. Praino, _____;
Helen D. Reynolds, _____;
Willie J. Toney, _____;
Gwen P. Washington, _____;

ORDINANCE TO AMEND THE CODE OF THE TOWN OF DUMFRIES, VIRGINIA, AS AMENDED, BY AMENDING CHAPTER 70, ARTICLE III, SECTION 70-542 RELATED TO SITE PLAN PROCEDURES

WHEREAS, Town staff initiated an amendment to Town Code Section 70-542 to allow site plans to be reviewed administratively instead of by the Town Council; and

WHEREAS, the Planning Commission discussed the matter in several works sessions; and

WHEREAS, the Planning Commission held a public hearing and recommended approval to the Town Council on August 13, 2012; and

WHEREAS, the Town Council disagreed with staff's proposal and directed staff to amend the Town Code Section 70-542 to require a 30 review time by the Planning Commission and for final site plans to be scheduled for action at the next available Town Council meeting; and

WHEREAS, the Town Council authorized a public hearing on this matter, duly advertised for the purpose, was held on October 9, 2012 and all interested citizens were heard.

THEREFORE BE IT ORDAINED by the Dumfries Town Council on this 13th day of November that the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by amending Chapter 70, Article III, Section 70-542, and is reenacted as follows:

Sec. 70-542. - Procedures.

- (a) The zoning administrator is responsible for checking site plans, preliminary and final, for general completeness and compliance with such administrative and legislative requirements as may be established by routing copies thereof to appropriate reviewing departments, and outside agencies.
- (b) All applicants are encouraged to request a preapplication review conference. The purpose of the conference is to discuss the basic site plan, off-street parking, signs, other town ordinance requirements, utilities, and drainage, and to consider preliminary features of the proposed development as they relate to this article.
- (c) Sufficient copies, as required by the administrator, of the final site plan shall be submitted to the administrator.
- (d) Upon receipt of the first review comments from the reviewing agencies, the zoning administrator or designated agent shall transmit review comments to the applicant for correction or implementation.
- (e) The applicant shall then return to the administrator, revised plans addressing all concerns and noting all changes. The administrator shall then distribute and coordinate all further comments in the same manner until the final plan conforms with all technical requirements of all applicable codes.

(f) The administrator shall submit final site plans to the planning commission for review and recommendation. The planning commission shall recommend approval, approval subject to conditions, or disapproval to the town council within ~~6~~30 days upon their receipt of the final site plan.

(g) The administrator shall then forward the final site plan to the town council for action at their next available meeting.

BY ORDER OF COUNCIL

Gerald M. Foreman, Mayor

ATTEST:

Dawn Hobgood, Town Clerk

Ordinance Number O-2012-012

AT A MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON NOVEMBER 13, 2012, AT 7:00 P. M., IN THE COUNCIL CHAMBERS, LOCATED AT 1775 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ____;
Gerald M. Foreman, II, ____;
Kristin W. Forrester, ____;
Louis A. Praino, ____;
Helen D. Reynolds, ____;
Willie J. Toney, ____;
Gwen P. Washington, ____;

ORDINANCE TO AMEND THE CODE OF THE TOWN OF DUMFRIES, VIRGINIA, AS AMENDED, BY AMENDING CHAPTER 70, ARTICLE III, SECTION 70-679 RELATED MEETING TIME OF THE ARCHITECTURAL REVIEW BOARD

WHEREAS, the Architectural Review Board recommended that the Town Council amend Town Code Section 70-679 to delete 7:00 P.M. has the meeting time; and

WHEREAS, the Planning Commission discussed the matter in a work session; and

WHEREAS, the Planning Commission held a public hearing and recommended approval to the Town Council on August 13, 2012; and

WHEREAS, the Town Council authorized a public hearing on this matter, duly advertised for the purpose, was held on October 9, 2012 and all interested citizens were heard.

THEREFORE BE IT ORDAINED by the Dumfries Town Council on this 13th day of November that the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by amending Chapter 70, Article III, Section 70-679, and is reenacted as follows:

Sec. 70-679. - Meetings.

(a) Regular meetings of the ARB shall be held at least once a month when an application has been filed for its consideration. ~~The meeting shall open at 7:00 p.m., local time, and adjourn upon completion of the business brought before it.~~ The meetings shall be held in the town hall or as duly advertised and noted ~~conference room~~. The ARB shall meet at least three times per calendar year.

(b) The meeting place may be moved, provided all concerned have been notified of the alternate meeting place at least three working days prior to the date of the scheduled meeting. A log will be maintained of dates, time of notification and name of the person notified of such alternate meeting place, as deemed appropriate by the board chairman.

(c) Special meetings may be called at any time by the chairman or a majority of the board, providing proper notice, normally three working days is given.

(d) A regular or special meeting may be canceled when there is no business to be brought before the board. The cancellation may be called by the chairman, with notification to all concerned not less than three working days prior to the scheduled opening of the meeting.

(e) Meetings of the ARB shall be open to the public. The order of business at regular meetings shall be as follows:

- (1) Roll call.
- (2) Reading of minutes of previous meetings.

- (3) Citizens wishing to address the ARB.
- (4) New business.
- (5) Old business.
- (6) Report of committees.
- (7) Adjournment.

BY ORDER OF COUNCIL

Gerald M. Foreman, Mayor

ATTEST:

Dawn Hobgood, Town Clerk

Ordinance Number O-2012-013